IN THE SPECIFICATION

Following is a marked-up version of each amended paragraph of the subject patent application. The Examiner is requested to delete the indicated paragraph and replace it with the amended paragraph. The location for each of the deleted and replaced paragraphs is also indicated.

The paragraph beginning on page 2, line 4 and ending on page 2, line 22 should be replaced as follows:

Although there are many types of data carried over a network, these can be generally categorized into two data types with respect to latency and other network performance aspects that can distort the signal, or render it unusable, at the receiving end. The first data type is relatively insensitive to the network performance and is able to accept~~except~~ whatever performance the network provides. For example, a file transfer application ideally prefers to have an infinite bandwidth (which is generally measured in bits or bytes per second) and a zero delay as the bytes or packets traverse their intended route. Under these conditions the file will reach its destination in the fastest and most expeditious manner. However, if there is degraded network performance because, for example, the available bandwidth decreases or the end-to-end delay increases, this will not substantially affect the file transfer application. The file will still arrive at the destination, albeit later than under ideal conditions. Thus the performance requirements for such applications can adapt to the available network resources. The network only promises to deliver the application packets, without guaranteeing any particular performance bound. These are also referred to as best-efforts networks.

The paragraph beginning on page 6, line 2̶7̶ 24 and ending on page 6, line 2̶8̶ 25 should be replaced as follows: 11/1/06 C4

Figures 1A and 1B ~~is~~are a flowcharts illustrating the operation of the present invention; and

The paragraph beginning on page 7, line 2 and ending on page 7, line 9 should be replaced as follows:

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value are served and the counters decremented as packets are processed. The process then repeats at each predetermined interval.

The paragraph beginning on page 9, line 2̶7̶ 25 and ending on page 9, line 3̶1̶ 29 should be 11/1/06 C↓ deleted as follows:

~~Further details of the smoothed deficit weighted round robin scheduling scheme are described in commonly-owned patent application entitled, "Smooth Deficit Weighted Round Robin Scheduling," filed on _____ and assigned application number _____ (Attorney's docket number 123108).~~

The paragraph beginning on page 11, line 1̶4̶ 12 and ending on page 11, line 2̶2̶ 21 should 11/1/06 C↓ be replaced as follows:

Returning to Figures 1A and 1B, from the step 86 where the priority class one data is served subject to the bandwidth limitations, processing returns to a decision step 88 to determine whether any packets are in the active queue of priority class two. Those packets are served at a step 9̶0̶ 94 as required. The process then moves to a decision step 92 to determine whether any packets are in the priority class three active queue. Any such packets are served at a step 92 and the process continues until all the priority classes are served, after which the process returns to the decision step 84.

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